

[illegible]

¹ Although the court refers to the "defendants," there is no indication that any of the John Doe defendants have been identified or are participating in the case.

a May 24, 2007, order [Doc. No 6], this court adopted the magistrate judge's report and recommendation that the motion be granted, in part, and denied, in part. The motion was granted only to the extent that the plaintiff was required to file an amended complaint within 10 days stating specifically what claims she was asserting, the defendants against whom each claim is asserted, the acts or omissions on which the claims were based, and, to the extent the plaintiff averred fraud, the circumstances upon which such claims were based.

The plaintiff did not comply with the May 24 order within the required 10-day period. She did, however, file a pro se motion to stay and/or remand on June 4, 2007 [Doc. No. 9], and a pro se motion for extension of time to comply with the May 24 order on June 7, 2007 [Doc. No. 12]. The plaintiff claims she is on active duty in Arizona and is unable to prosecute the case at this time. Ameriquest opposes the motions [Doc. No. 13].

Under the applicable provision of the Servicemembers Civil Relief Act, 50 U.S.C. Appx. § 501 et seq. ("SCRA"), a court may grant a stay to a servicemember who has presented the following items:

(A) A letter or other communication setting forth facts stating the manner in which current military duty requirements materially affect the servicemember's ability to appear and stating a date when the servicemember will be available to appear.

(B) A letter or other communication from the servicemember's commanding officer stating that the servicemember's current military duty prevents appearance and that military leave is not authorized for the servicemember at the time of the letter.

50 U.S.C. Appx. § 520(b)(2). Griggs failed to submit either item with her motion for stay. Accordingly, the plaintiff is ORDERED to submit the letter(s) required by the SCRA to the court within 10 days of the date of this order. The clerk is INSTRUCTED to resubmit this order to the court after 10 days. In the interim, the plaintiff's motion for an extension [Doc. No. 12] to file the amended answer required by the May 24 order is GRANTED. The court will set forth a time line for the plaintiff to comply with the May 24 order upon the expiration of the 10 day period provided for the plaintiff to comply with the requirements of the SCRA.

SO ORDERED this 27th day of June, 2007.

/s/ Charles A. Pannell, Jr.
CHARLES A. PANNELL, JR.
United States District Judge